

## Housing Authority - County of Los Angeles

April 25, 2008

TO: EACH SUPERVISOR

FROM: CARLOS JACKSON  
Executive Director

SUBJECT: ITEM 1-H, BOARD MEETING DATE: 3/25/08

The purpose of this memo is to provide you with information regarding comments brought to your Board on March 25, 2008 regarding item 1-H, the approval of the FY 2008-2012 Agency Plan for the Housing Authority County of Los Angeles ("Housing Authority"). Comments were provided from three individuals that required a response from the Housing Authority and a report back to your Board.

- Melvin Hightower, a resident of the Southbay Gardens public housing development, provided comments on hot water problems in his unit and the lack of public bathroom facilities at the subway station off the 105 freeway. The Housing Authority responded to Mr. Hightower on April 23, 2008. A copy of the response is attached.
- Phong S. Wong, a representative from the Legal Aid Foundation of Los Angeles, provided comments on two issues: reasonable accommodation policies and developing a standard of evidence for informal hearings in the Section 8 program. The Housing Authority responded to Ms. Wong on March 14, 2008 regarding her comments on reasonable accommodation policies. The Housing Authority then responded to Ms. Wong's comments on developing a standard of evidence for informal hearings on April 25, 2008. A copy of each response is attached.
- Anthony Hicks, a representative from Neighborhood Legal Services, provided comments on voucher utilization in the Section 8 program. The Housing Authority responded to Neighborhood Legal Services on April 10, 2008. A copy of the response is attached.

Should you have any questions or concerns, please contact me at (323) 890-7400.

CJ:KC

Board response memo 08-09

c: Board Deputies

Attachments



**HOUSING AUTHORITY  
of the County of Los Angeles**

ASSISTED HOUSING DIVISION

12131 Telegraph Road • Santa Fe Springs, CA 90670

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**Michael D. Antonovich**  
Commissioners

**Carlos Jackson**  
Executive Director

April 25, 2008

Phong S. Wong  
Legal Aid Foundation of Los Angeles  
8601 S. Broadway Avenue  
Los Angeles, CA 90003

Dear Ms. Wong,

Thank you for your comments regarding the Housing Authority's FY 2008-2012 Agency Plan at the public hearing held March 25, 2008.

At the public hearing you provided comments regarding the Housing Authority's reasonable accommodation policies, as well as the standard of evidence used for informal hearings. The Housing Authority responded to your comments on reasonable accommodation policies in a letter dated March 14, 2008, which is attached for your review.

Due to ongoing litigation, the Housing Authority is unable to address your comments regarding the standard of evidence used in an informal hearing. However, after the termination of the litigation, we welcome a continued discussion of this issue.

Thank you again for taking time to provide your comments and suggestions for the FY2008-2012 Agency Plan. If you have any further comments or questions, please contact Kerrin Cardwell, Administrative Analyst at (562) 347-4813.

Sincerely,

  
CARLOS JACKSON  
Executive Director

Attachment





**Carlos Jackson**  
Executive Director

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Commissioners

April 23, 2008

Melvin Hightower  
230 E. 130<sup>th</sup> Street #326  
Los Angeles, CA 90061

Dear Mr. Hightower:

Thank you for your comments on the proposed Agency Plan for Fiscal Years 2008-2012 of the Housing Authority County of Los Angeles ("Housing Authority") presented to the Board of Commissioners on March 25, 2008. The following are responses to each of your comments:

**Your Comment:** *There was no hot water for over a month at the Southbay Gardens public housing development, where I live. It took too long to fix. Due to this problem, my sink was clogged because there was not enough hot water. I was charged \$21.00 to unclog my sink...*

**HA Response:** In early January of 2008, several residents of the Southbay Gardens public housing development informed the Housing Authority that the water in their unit was at times lukewarm, very hot or very cold. The Housing Authority promptly contacted the vendor, Automatic Boiler Company, who had installed the two new boilers at the Southbay Gardens housing development a year and a half ago. After looking at the boilers and troubleshooting, the vendor could not find any problem with the system.

After consulting with the Automatic Boiler Company, the Community Development Commission Construction Management Division and staff, the thermostat regulator was repaired on March 7, 2008. We apologize for the \$21.00 charge and will be deducting this charge from your account.

**Your Comment:** *They should have bathrooms in the subway station off the 105 freeway. I have bladder problems. There are people using the elevators as restrooms and they smell pretty bad and someone should be cleaning them and opening up a bathroom instead...*

**HA Response:** Installing bathrooms at a subway station would be determined by the Metropolitan Transportation Authority (MTA). The MTA website, [www.metro.net](http://www.metro.net), states that passengers who use the MTA services who have questions or concerns may call (213) 922-6235 to speak to an MTA passenger relations representative. You can also submit comments

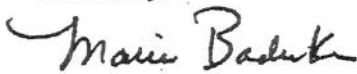


Hightower  
April 23, 2008  
Page 2 of 2

via e-mail at [customerrelations@metro.net](mailto:customerrelations@metro.net) or write to the Los Angeles County MTA at One Gateway Plaza, Los Angeles, CA 90012-2952. For your convenience, we will be sending the MTA a copy of this letter.

If you have additional questions or concerns, please call Marisela Crabbe at (323) 890-7120.

Sincerely,



MARIA BADRAKHAN, Director  
Housing Management Division



**Carlos Jackson**  
Executive Director

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of the County of Los Angeles**

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**Michael D. Antonovich**  
Commissioners

March 14, 2008

Phong S. Wong  
Legal Aid Foundation of Los Angeles  
8601 S. Broadway Avenue  
Los Angeles, CA 90003

Dear Mr. Wong,

Thank you for your comments regarding the Housing Authority's FY2008-2012 Agency Plan. The Housing Authority would like to take this opportunity to respond to your suggestions and concerns.

**3.2 How to Register**

**Legal Aid Foundation Comment:**

*Section 3.2 provides that prospective Section 8 participant may only apply for placement on the Section 8 waiting list through HACoLA's online website or by telephone.*

*This policy will make it difficult for homeless individuals and others without regular access to telephones or the internet to apply for Section 8 benefits. HACOLA should facilitate individuals' applications to Section 8 by allowing in-person applications. In-person applications will allow homeless and other individuals without telephone or internet access to apply for Section 8.*

**HACoLA's Response:**

The Housing Authority currently allows individuals to apply for the Section 8 waiting list by filling out an online application on the [www.hacola.org](http://www.hacola.org) website or by telephone. This method of application has been chosen for several reasons. Federal regulations require the Housing Authority to collect certain information from those who apply to the waiting list, including information regarding admissions preferences, which allows for proper selection from the waiting list. The amount of information required for application to the waiting list would necessitate a multiple page document if it were a paper application. This kind of waiting list application is not only cost prohibitive, but increases the level of erroneous information on the waiting list.



The Housing Authority is currently assessing options for installing an internet station in the Section 8 lobby to allow in-person applications to the waiting list, as well as to facilitate changes to the waiting list by those who are visiting the Section 8 office.

Additionally, the Housing Authority has set aside vouchers for the homeless and works closely with shelters that aid homeless individuals obtain housing assistance and the application process. The Housing Authority appreciates LAFLA's position on facilitating housing opportunities for the homeless.

### **3.8 Removing Applicants from the Waiting List and Purging**

#### **Legal Aid Foundation Comment:**

*The proposed plan reads: "An applicant who fails to respond to a Housing Authority mailing within the time frame indicated will be removed from the waiting list" . . . . "If a letter is returned by the Post Office, the applicant will be removed without further notice." Individuals removed from the waiting list for failure to respond to a mailing may be reinstated if "the Housing Authority verifies a family/health/work emergency, or the applicant failed to respond because of a family member's disability," provided the registrant is "able to provide documentation of the circumstances."*

*We are concerned about this policy because of its detrimental effects on the homeless population and those living in transitional housing. Often, these individuals move from place to place and have no permanent address to provide to HACOLA. An exception to removal should be made for applicants who declare or show HACOLA that they were homeless during the time in question. HACOLA should also make additional efforts to reach these marginalized individuals.*

#### **HACOLA's Response:**

The Housing Authority's current practice considers homelessness, whether permanent or temporary, a family emergency. If a family has been removed from the waiting list due to an undeliverable letter or failure to respond to the letter, and the family can provide documentation to show they were homeless, or in temporary or transitional housing, they will be reinstated to the waiting list with their original date and time.

### **8.3.1 Initial Applicant Briefing**

#### **Legal Aid Foundation Comment:**

*Section 8.3.1 of the proposed plan provides that initial applicant briefing sessions for families granted Section 8 vouchers "will be conducted in English." These briefing sessions are mandatory and provide new Section 8 participants with vital information about Section 9, their responsibilities, and the responsibilities of property owners.*

*HACOLA must comply with federal requirements mandating assistance to Limited English Proficiency (LEP) individuals. These requirements are governed by Executive Order 13166, Title VI of the Civil Rights Act of 1964, and HUD's Final Guidance to*



*Federal Financial Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (72 Fed. Reg. 2733). In compliance with federal requirements, this section should be revised to require HACOLA to notify all potential Section 8 participants that they may request a translator in their native language prior to the briefing. This will ensure that all Section 8 participants are fully aware of their responsibilities and that of the property owners. Although Section 22.4.2 provides that qualified interpreters will be used at voucher issuance briefings, Section 8.3.1 should also specifically include this requirement.*

**HACoLA's Response:**

The Housing Authority included Chapter 22, which refers to LEP in the Administrative Plan. All references to English-only have been removed and the policy in this section will reflect the policy included in Chapter 22. We appreciate you bringing this to our attention.

**8.7.3 Extensions**

**Legal Aid Foundation Comment:**

*Section 8.7.3 states that "A family may request an extension of the voucher period. All requests for extensions must be received prior to the expiration date of the voucher"..."Housing Supervisors may authorize extensions up to a maximum term of 270 calendar days for extenuating circumstances or as a reasonable accommodation."*

*We recommend that HACOLA amend its policy by granting unlimited search time as a reasonable accommodation. Many households with a disabled individual have extreme difficulty locating a unit that can accommodate their disability and finding a landlord who is willing to rent to them. This proposed amendment would significantly reduce the stress and burden associated with finding an appropriate unit within the time limits.*

Furthermore, we suggest changes and/or, replacement of this section as follows;

*"If a family has claimed a disability ...family will be provided with written instructions at time that Voucher is issued for requesting an extension based on Reasonable Accommodation on the Basis of Disability, verified by Voucher Recipient's signature of receipt and understanding.*

***The Procedure for Request for Reasonable Accommodation of Extension of Voucher:***

*Voucher recipient must request a reasonable accommodation in writing to the HACLA 504/Disability Coordinator's Office prior to the expiration date of the voucher. Once a request for reasonable accommodation of extension of voucher expiration has been submitted to the 504/Disability Coordinator's Office, the voucher's expiration will be tolled until a determination is issued in writing by the 504 Coordinator's Office, either extending the Voucher, or denying Voucher recipient's request.*

*If the Request for Reasonable Accommodation is denied, the HACoLA's reason for denial must be included in the written Notification of Denial of Reasonable Accommodation.*

*If Reasonable Accommodation is denied, Voucher Recipient may request a hearing, within 30 days of his or her receipt of the Denial of Reasonable Accommodation/Expiration of Voucher, to contest the decision.*

*If Reasonable Accommodation is granted, the Voucher recipient may request additional extensions based on Reasonable Accommodation as needed, subject to the same procedures as for the initial request.*

**HACoLA's Response:**

The Housing Authority currently gives up to a maximum of 270 days search time on the voucher as reasonable accommodation. However, the Housing Authority will extend this time if necessary as a reasonable accommodation, in compliance with our policy in section 1.8.1, which states that the Housing Authority is required to make reasonable adjustments to its policies in order to enable a disabled individual equal opportunity to use and enjoy their unit and to comply with program obligations.

While the Housing Authority currently makes provisions for those who need additional search time beyond the stated maximum of 270 days due to a disability, the Housing Authority will consider revising the voucher extension policy in the future to remove a maximum search time for those who need a reasonable accommodation due to a disability.

Applicants and participants are briefed regarding their rights and responsibilities under the Section 8 program when they receive their voucher. This briefing includes the procedure for requesting a reasonable accommodation and the procedure for requesting an extension on their voucher, including the extension form. If a reasonable accommodation is denied, the reason for the denial is included in the notification to the applicant or participant and that person is given an opportunity to appeal the decision.

Thank you again for taking time to provide your comments and suggestions for the FY2008-2012 Agency Plan. If you have any further comments or questions, please contact Kerrin Cardwell, Administrative Analyst at (562) 347-4813.

Sincerely,

  
Carlos Jackson





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Gloria Molina  
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Commissioners

Carlos Jackson  
Executive Director

April 10, 2008

Stephanie Haffner  
Neighborhood Legal Services  
9354 Telstar Avenue  
El Monte, CA 91731

**RE: RESPONSE TO COMMENTS ON THE PROPOSED AGENCY PLAN FOR  
FISCAL YEARS 2008-2012**

Dear Ms. Haffner,

Thank you for your comments on the proposed Agency Plan for Fiscal Years 2008-2012 of the Housing Authority County of Los Angeles (hereafter known as the "Housing Authority") submitted March 20, 2008. The following are responses to each of your comments:

**1. Maximize Voucher Funds for the Future by Ensuring Full Use of Authorized Voucher & Necessary Expenditure of Reserve Funds**

**NLS Comment:**

Last year HACoLA anticipated achieving a utilization rate of 98% (or 20,139 of its 20,550 vouchers). In HACoLA's January 25, 2008 response to HUD's OIG audit, HACoLA stated that its current lease-up rate was 95.3% (or 19,584 of 20,550 vouchers). Yet, the draft Annual Plan for Fiscal Year 2008-2009 states that only 18,264 vouchers were in use, which appears to be only an 89% utilization rate. It is unclear whether the stated lease-up rates represent an average for a 12-month period or just the lease-up rate at a point in time. The important figure is the average lease up rate for a 12-month period. As evidenced by the low utilization rate, it appears that HACoLA persists in issuing too few vouchers, terminating too many families or has otherwise not adequately addressed the utilization problem. This is a problem because needy families, approximately 2000, did not receive assistance in 2007. Moreover, under utilization will jeopardize HACoLA's funding in future years, as the funding formula is based upon vouchers in use, time costs, plus inflation.

We believe HACoLA received its letter announcing its funding levels for 2008 a few days ago. Please let us know what that funding level was and the numbers that it was based upon, which should include the utilization rate for FFY ending September 30, 2007, the average costs per voucher for that period plus an inflation factor.



Stephanie Haffner  
April 10, 2008  
Page 2

*Another key figure is the authorized number of vouchers for HACoLA. It would be helpful if this figure were stated annually in the PHA Annual Plan. It is our understanding that HACoLA's authorized number of vouchers for last year was 20,550. It is also our understanding that the current authorized level of vouchers for HACoLA is 20,747...*

*In addition, it is our understanding that HACoLA has substantial reserves that it could use to obtain full utilization in 2008...*

**HACOLA Response:**

The template provided by HUD on which housing authorities must submit their Annual Plans asks specifically how many families were served at year beginning. This question indicates the number of vouchers used as of July 1, 2007. The number of vouchers used as of that date by the Housing Authority was 18,263.

The challenge of every housing authority is to serve as many families as possible within the budget allocated by HUD. Recognizing this fact, HUD grants points for Indicator 13: Lease Up under the Section Eight Management Assessment Program (SEMAP) through the utilization of vouchers or the utilization of budget authority. The Housing Authority's current voucher allocation is 20,747.

The Housing Authority is unable to achieve a 100% voucher utilization rate without either spending far more than our budget authority allows, or reducing subsidy to families currently served. The Housing Authority's projected voucher utilization for FY 2007-2008 is 93.18% and the projected budget authority utilization is 118.53%. The projected voucher utilization for CY 2008 is 95.43% and the projected budget authority utilization is 107.39%, which includes use of over \$23 million in Housing Assistance Payment (HAP) reserves.

On March 1, 2008 we assisted 19,854 (95.7%) families. This is what is prudent and fiscally responsible to sustain the program at current subsidy levels given our current funding from HUD.

**2. PHAS and SEMAP Scores**

**NLS Comment:**

*In order for the Board of Supervisors and the public to understand this goal, HACoLA should state the PHAS and SEMAP scores in each scored area. Then in the annual report of "Status of Five Year Goals," which is Attachment G to the Draft Annual Plan for Fiscal Years 2008-2009, HACoLA may report on what would be the current PHAS and SEMAP scores...*

**HACoLA Response:**

In the future, in order to provide a better understanding of the strategic goal of improving our PHAS and SEMAP scores, the Housing Authority will include these scores in the Annual Plan, Attachment G "Status of Five-Year Goals PHA Fiscal Years 2008-2012".

**3. Project-Based Voucher Program**

**NLS Comment:**

*As part of its planning, HACoLA should provide a time-table for its implementation.*

**HACoLA Response:**

The Housing Authority is currently in the process of implementing the Project-Based Voucher program. We expect to have full implementation by approval of the FY 2009-2010 Annual Plan. If the program is not fully implemented at that time, the Housing Authority will provide a timeline.

**4. Limited English Proficiency (LEP)**

**NLS Comment:**

*In addition to reviewing data and observations about current participants, we urge HACoLA to reach out to other service providers who work with minority populations which have non-English speakers with housing needs, to determine if there are populations whose needs HACoLA is not addressing.*

*...many individuals will be identified through individual contact, but broader notice is necessary so that individuals are aware of the services and can make arrangements for the services prior to a meeting or encounter with HACoLA. This is especially true for applicants. These steps should be identified in HACoLA's plans.*

*We suggest HACoLA should commit to translation of key documents by the end of the Plan year, and that a list of documents for translation be developed by August 2008. We suggest there should be a public process for soliciting input from us and other agencies into the list...*

*We urge the amendment of both of these documents to provide for reporting on findings of that monitoring, including the number of times that LEP interpreters were requested, used and for what languages.*

*Both of these documents should be amended to state how frequently the LEP training will be available.*

**HACoLA Response:**

The Housing Authority reviewed its policies and developed policies and procedures as needed to incorporate HUD's "Final Guidance to Federal Financial Assistance

Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" published on January 22, 2007. The Housing Authority will consider NLS recommendations in revising the LEP Plan in the next Agency Plan for Fiscal Year 2009-2010.

As stated in the LEP plan, data on items such as the number of LEP clients and languages requested will be maintained in the Housing Authority's software system.

The Housing Authority is currently translating the Grievance Policy and Procedures provided in the Public Housing Admissions and Continued Occupancy Policy (ACOP). Translated documents listed in the ACOP in Appendix A are continuously being expanded as more documents become available. The Section 8 staff is in the process of identifying those documents that will be translated in the coming year and the selection process reflects the requirements set forth in the Final Guidance on LEP.

**5. Section 8 Administrative Plan and Public Housing Admissions and Continued Occupancy Policy Local Preferences**

**NLS Comment:**

*[I]t is not clear from the Annual Plan, the Administrative Plan or the ACOP who is entitled to the first preference or more importantly how an applicant may know of and qualify for the first preference.*

*...HACoLA should list the entities which may make referral and the number of vouchers that each entity has under its control.*

*...HACoLA should identify to the public the homeless service provider, the contact information, and the number of referrals that provider can make...*

**HACoLA Response:**

The Housing Authority's Section 8 program has reserved the first preference on the waiting list for those referred through County departments and community-based organizations to set-aside, targeted and specially-funded programs administered by the Housing Authority. Including the details of each contract or Memorandum of Understanding (MOU) in the Administrative Plan would require the Housing Authority to seek Board approval for any new contract or contract change. This would greatly increase the Housing Authority's administrative burden and expense. However, information on each program is available upon request.

For the Public Housing program, homeless families and domestic violence victims are referred to the Housing Authority by seven homeless service providers that are currently under contract with the Housing Authority. Additionally, the homeless service providers prepare many of their clients to live independently and also refer their clients to the Housing Authority.

The homeless preference is limited to 30% of the number of vacant general occupancy units available on July 1 of each fiscal year. Every year the Housing Authority ensures that public housing assistance allocated to the homeless population is met.

**NLS Comment:**

*The Public Housing ACOP also sets forth a third preference for those residing or working in the jurisdiction. This preference needs to be amended to allow elderly and disabled tenants to receive a working preference... The ACOP...and the Administrative Plan...both need to be revised to comply with this provision.*

**HACoLA Response:**

HUD gives Housing Authorities the discretion to adopt a preference for admission of working families (families where the head, spouse, or sole member, is employed). Currently, the Housing Authority does not have a working preference as set forth in 24 CFR 5.655 (c)(2) and 960.206(b)(2).

The third preference "all other families who live and/or work in unincorporated Los Angeles County," is given to an applicant that resides and/or works in the Housing Authority's jurisdiction. This preference is based on where an applicant lives or works, not whether an applicant is working. As stated in the ACOP glossary and chapter two of the Administrative Plan, the definition of a "Family" includes an elderly and/or disabled applicant/tenant/participant.

**6. Criminal Background Screening**

**NLS Comment:**

*...we believe that the policy should be further amended to allow admission of individuals, who are on parole or probation for non-violent and non-drug-related misdemeanors and felonies, who are otherwise eligible under HUD regulations.*

**HACoLA Response:**

The Housing Authority initially proposed to modify its criminal background policy to admit applicants on parole or probation for traffic-related or other petty misdemeanors. After much consideration, the Housing Authority removed this proposed policy change. The criminal background policy will remain as is.

**7. Disposition**

**NLS Comment:**

*What are the plans for the proceeds of the sale [of the property at 85<sup>th</sup> and Miramonte]? Can the property be used for affordable housing?*

**HACoLA Response:**

The Housing Authority has determined that the vacant land be disposed and title be transferred to the Community Development Commission (CDC) for the provision of



affordable housing or homeownership. In exchange, the Housing Authority has received from the CDC title to two sites located at 4621 and 4625 Linsley Street in unincorporated East Rancho Dominguez, and 11117 and 11119 Firmona Avenue in unincorporated Lennox. The Housing Authority also received Replacement Housing Factor funding from the U.S. Department of Housing and Urban Development (HUD) for the rehabilitation of the two sites. As stated in the Agency Plan, the Disposition Application was submitted to HUD on June 5, 2007, and is pending approval.

#### **8. Rights of Applicants and Tenants with Disabilities**

**NLS Comment:**

~~We strongly encourage you to make the following changes to the pet policies section, as this is a common area of concern:~~

*First, this section states that the animal must be trained to assist with the specific disability. HACoLA should note that the tenant may train the animal herself. Also, for many people with disabilities, pets are needed as companion animals, for which there is no specific training. This should also be noted.*

*Second, a maximum number of dogs is set at one. ...HACoLA should, at the beginning of this section, insert a phrase stating, "These policies may be changed as a reasonable accommodation."*

*Third, there should be exceptions for designated no-pet areas where a person with disabilities needs her service animal at all times.*

*We urge you to make clear throughout the policy that reasonable accommodation requests can be made.*

**HACoLA Response:**

The Housing Authority is in full compliance with all laws and regulations that protect the rights of disabled individuals, including the ADA and the Fair Housing Act. The Pet Policy states that "nothing in this policy or the dwelling lease limits or impairs the right of persons with disabilities to own animals that are used to assist them".

Additionally, the Pet Policy also states that "in accordance with Section 504 of the Rehabilitation Act and the Fair Housing Act, pet rules will not be applied to animals that assist persons with disabilities" with several exceptions i.e. there is reliable objective evidence that the animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable accommodation.

**NLS Comment:**

*The list of who may verify a disability is overly restrictive. According to HUD/DOJ Joint Statement on Reasonable Accommodations under the Fair Housing Act, a housing authority should not ask for a tenant's disability if the disability is apparent or known. If*



*it is not apparent or known, then verification of disability can be demonstrated through SSI/SSDI, a credible statement by the individual, a doctor, a peer support group, a non-medical service agency or a knowledgeable third party. Thus, HACoLA must include this myriad number of ways to prove disability to its Administrative Plan. It is important to allow other reliable parties to verify disability, as tenants are often between doctors, or do not have regular access to a healthcare professional.*

**HACoLA Response:**

When a family's head of household or their spouse or co-head is disabled, the family qualifies for a disabled family deduction. In order to determine eligibility for the deduction, the Housing Authority must verify that the member qualifies as a person with a disability, as defined in 42 USC 423 or 42 USC 6001, pursuant to HUD regulations. In order to verify disability, the Housing Authority uses the receipt of SSI/SSDI. If the individual does not receive SSI or SSDI, the Housing Authority uses a Verification of Disability form. In accordance with HUD's Verification Guidance, the Housing Authority sends this form directly to a qualified professional having knowledge of the person's disability. The list of acceptable professionals found in section 7.10.6 of the Administrative Plan is not an exhaustive list of who may verify an individual's disability.

**NLS Comment:**

*We suggest that HACoLA include its reasonable accommodation request form in the briefing packet.*

**HACoLA Response:**

The Housing Authority explains to all future voucher holders at the voucher issuance briefing the reasonable accommodation process and their rights. The reasonable accommodation request form is then provided at the briefing upon request.

**NLS Comment:**

*Prospective tenants should be aware they can request a reasonable accommodation for other aspects of the application process and thus we urge you to insert a statement at the beginning of the chapter that reasonable accommodations may be requested in order to allow persons with disabilities to fully participate in the admission process.*

*This section [13.2.3] should add a fifth point allowing a family to move in order to transfer to an accessible unit.*

*HACoLA should ensure that the landlord is aware of the standard.*

*We encourage HACoLA to include language stating that one of the factors the housing authority will consider during termination decisions is whether a reasonable accommodation would allow the family to meet its obligations.*

*This section [15.9] should include a statement that appointments and deadlines can be adjusted (in time, place and manner) if required as a reasonable accommodation.*

**HACoLA Response:**

Section 1.8.1 of the Administrative Plan states that the Housing Authority will grant reasonable accommodations on a case-by-case basis for those individuals with a disability. This policy applies to all processes wherever a reasonable accommodation is applicable and able to be granted under HUD regulation. The Housing Authority will review NLS recommendations and, if determined necessary, include additional clarification of our reasonable accommodation policies in next year's Administrative Plan.

**NLS Response:**

*...HACoLA lists the types of situations in which a person may request a reasonable accommodation. The housing authority should insert before its list, a clause saying that "A resident with a disability as defined above may request a reasonable accommodation, including, but not limited to, the following types of requests."*

**HACoLA Response:**

Currently, the Housing Authority does not list the types of situations in which a person may request a reasonable accommodation in the ACOP. The Housing Authority's policies and practices are designed to provide assurances that all persons with disabilities will be provided reasonable accommodations so that they may fully access and utilize the housing program and related services. The Housing Authority will review this section and clarify the language as deemed necessary.

**9. Implementation of Violence Against Women Act (VAWA)**

**NLS Comment:**

*As noted in our comments submitted on the 2007 Annual Plan, a mandatory policy requiring tenants to disclose prior landlords' contact information or mandating that the information be shared if available may cause serious problems for victims of domestic violence. If the prospective owner contacts a victim's current or former landlord, the abuser may be able to track the victim's location. We suggest that HACoLA tell applicants which parties will be contacted so that safety risks can be identified.*

**HACoLA Response:**

The Housing Authority takes all possible measures to assure the rights of applicants and participants are protected under VAWA and state and federal privacy laws. Section 9.9 of the Administrative Plan states that the Housing Authority will make an exception to the requirement in 24 CFR 982.307(b) to disclose the current address of the family to prospective owners in cases where the family's whereabouts must be protected due to domestic abuse or witness protection.

**NLS Comment:**

*The Section 8 Administrative Plan currently limits admissions preferences for victims of domestic violence survivors to those who have been referred from law enforcement.*

*HACoLA should expand this preference to survivors who can provide documentation of violence...*

**HACoLA Response:**

The Housing Authority currently provides an admission preference to victims of domestic violence who are:

- Disabled and served through a contracted community-based organization, or;
- Referred through a law enforcement agency for purposes of emergency relocation.

The Housing Authority currently does not plan to grant an additional admission preference for victims of domestic violence.

**NLS Comment:**

*We recommend that the HUD form for certification of domestic violence be included in all packets distributed during the briefing session... We also encourage HACoLA to verbally inform all participants, tenants, owners, and managers of their rights and obligations under VAWA through initial briefing sessions or other orientation meetings.*

**HACoLA Response:**

The Housing Authority has informed all participants and owners in the Section 8 program of their rights and responsibilities under VAWA in three separate newsletters. The Housing Authority does not provide the HUD Certification of Domestic Violence form in the briefing packet. The Housing Authority wishes to protect the privacy and anonymity of victims and so does not require certification unless necessary under the provisions of VAWA. When necessary, the form is provided to victims in order to certify incidents of domestic violence. At this time, the applicant or participant is also informed of their right to provide other documentation to certify the incidents of domestic violence, as defined in section 7.5.1 of the Administrative Plan.

**NLS Comment:**

*We encourage HACoLA to consider whether an applicant would be eligible for housing but for a negative history caused by domestic violence, dating violence, or stalking.*

**HACoLA Response:**

The Housing Authority will not deny admission to an applicant who is, or has been, a victim of domestic violence, dating violence, or stalking, if the person otherwise qualifies for assistance. Additionally, the Housing Authority will not evict a current tenant solely because the tenant is, or has been, a victim of domestic violence, dating violence, or stalking. "Negative history" such as poor credit history, poor rental history or lack of steady employment that was caused by being a victim of domestic violence, dating violence or stalking, would not be grounds for denial of assistance to the applicant. All information provided to the Housing Authority, including the fact that an individual is a victim of domestic violence, dating violence, or stalking, is retained in confidence except as set forth in the ACOP.

Stephanie Haffner  
April 10, 2008  
Page 10

**NLS Comment:**

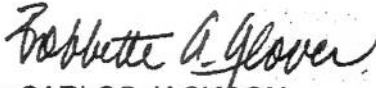
*We encourage HACoLA to outline VAWA's certification procedures in plain language...*

**HACoLA Response:**

The Housing Authority lists the VAWA certification procedures in the ACOP and Administrative Plan. The Housing Authority will review this section and ensure that the language is clear.

Thank you for submitting your comments on the FY 2008-2012 Agency Plan for the Housing Authority County of Los Angeles. If you have any further questions you may contact Kerrin Cardwell, Analyst at (562) 347-4663, ext. 8122 or Marisela Crabbe, Analyst at (323) 890-7120.

Sincerely,



for CARLOS JACKSON  
Executive Director